

13.07.2022
Sl. No.28
akd
[ALLOWED]

C. R. M. (DB) 2264 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.07.2022 in connection with Nabadwip Police Station Case No. 504 of 2021 dated 14.11.2021 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re: ***Sumit Kumar Bairagya @ Rajkumar***

... .. Petitioner

Mr. Aniket Mitra
Mr. Swarvanu Saha

... .. for the petitioner

Mr. Prasun Kumar Datta
Mr. Subrata Roy
Mr. Subhasish Dutta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 240 days. It is further submitted petitioner has been falsely implicated in the instant case. Co-accuseds have been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits victim-housewife committed suicide within two years of marriage.

We have considered the materials on record. Keeping in mind the facts and circumstances of the case, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Sumit Kumar Bairagya @ Rajkumar***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judicial Magistrate (1st Class), Nabadwip, Nadia subject to condition that the said petitioner shall appear before the trial court on

every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)